

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Wolverine Proctor & Schwartz, Inc., and	:	
Great American Alliance Insurance Co., Inc.	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	04-12189-RWZ
XYZ Tape Corp., formerly known as Patco Corp.,	:	
William B. Wilbur, and	:	
Travelers Property Casualty Company of America	:	
Defendants.	:	
	:	

**Motion of Wolverine Proctor & Schwartz, Inc. And Great American Alliance Ins. For
Two-Day Extension of Time To Respond To XYZ Tape Corp. and William Wilbur's
Motion for Summary Judgment**

Plaintiffs Wolverine Proctor & Schwartz, Inc. and Great American Alliance Insurance Co., Inc. move pursuant to Fed. R. Civ. P. 6(b)(1) for a brief extension of time of up to an additional two days to respond to Defendants, XYZ Tape Corp. and William B. Wilbur's Motion for Summary Judgment (Docket No. 21). In support of this motion, Plaintiffs state as follows:

1. By Order of July 19, 2005, the Court allowed Plaintiff's motion for an extension of time (Docket No. 26) to respond to XYZ Tape Corp. and William Wilbur's Motion for Summary Judgment to August 9, 2005.
2. Counsel for the Plaintiffs, despite his best efforts after returning on August 1st from a pre-planned vacation, has been unable to finalize Plaintiffs' legal memorandum in opposition to the motion for summary judgment and properly verify and compile the citations and exhibits to be submitted as part of Plaintiff's Local Rule 56.1 Statement within the time permitted by the Court because of the press of business as well as the retirement of his legal assistant and the early departure of an associate attorney for maternity leave who would have been available to assist on this case since his return.

3. Plaintiffs require not more than two additional days to complete their memorandum and Local Rule 56.1 Statement to fully explain the Plaintiffs' view of the legal and factual issues that this Court will have to address in ruling on the issues raised in Defendants' motion.

4. This is the second extension of time sought by the Plaintiffs and is made before the expiration of the period required by the Local Rules for filing an opposition to Defendants' motion. The Plaintiffs believe no party would be prejudiced by the allowance of this motion.

Conclusion

WHEREFORE, for good cause shown and in the interests of justice, Plaintiffs Wolverine Proctor & Schwartz, Inc. and Great American Alliance Insurance Co., Inc. request an extension of time of two days to August 11, 2005, or such other reasonable time as the Court deems just and proper, to submit their opposition to the Defendants' motion for summary judgment.

Respectfully submitted,
Wolverine Proctor & Schwartz, Inc.
Great American Alliance Insurance Co., Inc.
by its attorneys,

/s/ Matthew J. Walko

Matthew J. Walko (BBO No. 562172)
SMITH & DUGGAN LLP
Two Center Plaza, Suite 620
Boston, Massachusetts 02108-1906
(617) 228-4400

Dated: August 9, 2005